



PATENT  
ATTORNEY DOCKET: 46969-5456

\$

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Application of: )  
Kazuto SAKEMURA, et al. ) Confirmation No.: 8306  
Application No.: 10/594,904 ) Group Art Unit: 2879  
Filed: April 25, 2007 ) Examiner: Mary Ellen Bowman  
For: ELECTRON EMITTING DEVICE )  
AND MANUFACTURING METHOD )  
THEREOF AND IMAGE PICK UP )  
DEVICE OR DISPLAY DEVICE )  
USING ELECTRON EMITTING )  
DEVICE )

Commissioner for Patents  
U.S. Patent and Trademark Office  
**Customer Winder, Mail Stop Amendment**  
Alexandria, VA 22314

Sir:

**INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. § 1.97(c)**

Pursuant to 37 C.F.R. §§ 1.56 and 1.97(c), Applicants bring to the attention of the Examiner the documents listed on the attached PTO Form 1449. This Information Disclosure Statement is being filed after the events recited in § 1.97(b) but, to the undersigned's knowledge, before the mailing date of a Final Action, a Notice of Allowance, or another action that closes prosecution in the above-referenced application. Under the provisions of 37 C.F.R. § 1.97(c), this Information Disclosure Statement is accompanied by a fee of \$180.00, as specified by § 1.17(p).

11/26/2008 JADD01 00000043 10594904

01 FC:1806

180.00 0P

A European Search Report dated October 31, 2008 that issued in a European Patent Application and having documents cited therein is attached for the Examiner's consideration.

Except as discussed below, the cited documents are listed on the attached PTO Form 1449 and copies of the cited non-U.S. patent documents are also attached hereto.

While the European Search Report dated October 31, 2008 additionally cites to WO 02/05305, this document is not listed on the attached PTO Form 1449 because it was previously cited in an Information Disclosure Statement in this application on December 6, 2006.

Applicants respectfully request that the Examiner consider the listed documents and evidence that consideration by making appropriate notations on the attached PTO Form 1449.

This submission does not represent that a search has been made or that no better art exists and does not constitute an admission that any of the listed documents are material or constitutes “prior art.” If it should be determined that any of the listed documents do not constitute “prior art” under United States law, Applicants reserve the right to present to the Office the relevant facts and law regarding the appropriate status of such documents.

Applicants further reserve the right to take appropriate action to establish the patentability of the disclosed invention over the listed documents, should the documents be applied against the claims of the present application.

**Except** for issue fees payable under 37 C.F.R. § 1.18, the Commissioner is hereby authorized by this paper to charge any additional fees during the entire pendency of this Application, including fees due under 37 C.F.R. §§ 1.16 and 1.17 which may be required and

ATTORNEY DOCKET NO.: 46969-5456

Application No.: 10/594,904

Page 3

including any required extension of time fees, *or* credit any overpayment to Deposit Account

No. 50-0573. This paragraph is intended to be a **CONSTRUCTIVE PETITION FOR  
EXTENSION OF TIME** in accordance with 37 C.F.R. § 1.136(a)(3).

Respectfully submitted,

**DRINKER, BIDDLE & REATH LLP**

  
\_\_\_\_\_  
Paul A. Fournier  
Registration No. 41,023

Dated: November 25, 2008

By:

Customer No. 055694  
**DRINKER, BIDDLE & REATH LLP**  
1500 K Street, N.W., Suite 1100  
Washington, D.C. 20005-1209  
Tel: (202) 842-8800, Fax: (202) 842-8465